

REMARKS

This responds to the Office Action dated September 19, 2008.

Claims 1, 16, 25, and 34 are amended. Claims 1, 3-25, and 27-36 are pending in this application.

§103 Rejection of the Claims

1. Claims 25 and 27-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Taylor et al. (US 2002/0138641, "Taylor") in view of Logan et al. (US 2003/0093790, "Logan"). Claim 25 and 34 were amended to more clearly recite the subject matter. Support for the amendments is found generally within the Patent Application (*see e.g.*, pg. 4 lines 13-15, and pg. 4 line 30 through pg. 5 line 2).

Applicant respectfully traverses the rejection because the cited portions of Taylor and Logan, either individually or in combination with each other or with any objective reasoning of the Office Action, do not disclose, teach, or suggest, the present subject matter of these claims.

For example, Applicant cannot find in the cited portions of Taylor and Logan, among other things,

from a first network location, configuring a playlist of video files, the video files being stored in at least one second network location connected to the first network location via the network and the playlist configured in a third location, wherein the playlist is configured at least in part by logging into the third location with a web browser,

as presently similarly recited in claims 25 and 34, and incorporated into claims 27-33 and 35-36.

The Office Action reads the proxy server 420 and database 425 of Taylor onto the recited first network location, the media content server 405 onto the second network location, and the client 300 onto the third network location.¹

However, Taylor states that the proxy server sends a playlist to the client based on user preferences.² Taylor refers to a WWW server in relation to the media content servers, which

¹ Office Action, pg. 3.

² Taylor, ¶0047.

provide a particular type of media.³ Thus, Taylor does not teach or suggest configuring by the methods recited in the claims. Logan states that metadata, which describes individual program segments, is assembled at a server.⁴ Thus, Logan does not teach or suggest configuring by the methods recited in the claims, and therefore, Taylor and Logan either separately or when combined as proposed, do not teach or suggest some of the subject matter of these claims.

Additionally, Applicant cannot find,

wherein the playlist includes at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist,

as presently similarly recited in claim 25 and 34.

The Office Action concedes that Taylor does not specifically disclose executing logical actions included in the playlist, but states that Logan teaches that metadata, which describes individual program segments, may be combined to form an ordered playlist.⁵ However, Logan refers to metadata as a program guide,⁶ and that metadata may include a pointer to a segment.⁷ Thus, the metadata of Logan does not teach or suggest a track that includes at least one logical action related to playing the playlist.

Applicant respectfully requests withdrawal of the rejection and allowance of claims 25 and 27-36.

2. Claims 1, 7-9, 14-18, and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis et al. (US SN 10/927,814, "Ellis") in view of Taylor and further in view of Logan. Claim 25 and 34 were amended to more clearly recite the subject matter.

Applicant respectfully traverses the rejection because the cited portions of Ellis, Taylor and Logan, either individually or in combination with each other or with any objective reasoning of the Office Action, do not disclose, teach, or suggest, the present subject matter of these claims.

³ Taylor, ¶0033.

⁴ Logan, ¶0267.

⁵ Office Action, pg. 3 citing Logan ¶0269.

⁶ Logan, ¶0260.

⁷ Logan, ¶0046.

For example, Applicant cannot find in the cited portions of Ellis, Taylor and Logan, among other things,

a web client to ... configure at least one playlist in the media server ... wherein the playlist includes at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist,

as presently similarly recited in claims 1 and 16 and incorporated into claims 7-9, 14-15, 17-18, and 23-34.

The Office Action concedes that Taylor does not specifically disclose executing logical actions included in the playlist, and Applicant believes Logan does not teach or suggest a track that includes at least one logical action related to playing the playlist, at least for the reasons set forth above. Ellis fails to disclose the missing elements. Instead, Ellis relates to an interactive television program guide.⁸ The Office Action reads the recited media server onto the set top box 248 of user television equipment 244.⁹ Ellis states that the set top box 248 implements a program guide for control by user input.¹⁰ Thus, Ellis does not teach or suggest a media server to execute the playlist to control video content on the video display, but instead relates to a program guide to play a program according to user input.

Therefore, the proposed combination of Ellis, Taylor and Logan does not teach or suggest all of the subject matter of these claims. Applicant respectfully requests reconsideration and allowance of claims 1, 7-9, 14-18, and 23-24.

3. Claims 10, 19-20, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis in view of Taylor, further in view of Logan, and further in view of Rodriguez (US SN 09/947,890). Applicant respectfully traverses the rejection because the cited portions of Ellis, Taylor, Logan and Rodriguez, either individually or in combination with each other or with any objective reasoning of the Office Action, do not disclose, teach, or suggest, the present subject matter of these claims.

⁸ Ellis, Abstract.

⁹ Office Action, pg. 8.

¹⁰ Ellis, ¶¶ 0187, 0188.

Claim 10 depends on base claim 1, and claims 19-20, and 22 depend on base claim 16. As set forth above, Ellis, Taylor, and Logan fail to teach or suggest all of the elements of base claims 1 and 16 that are incorporated into the dependent claims. Rodriguez fails to teach or suggest the missing elements. For example, Applicant cannot find in the proposed combination of Ellis, Taylor, Logan and Rodriguez, among other things,

a web client to ... configure at least one playlist in the media server ... wherein the playlist includes at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist,

as presently similarly recited in claims 1 and 16 and incorporated into claims 10, 19-20, and 22. Applicant respectfully requests withdrawal of the rejection and allowance of claims 10, 19-20, and 22.

4. Claims 3-6 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis in view of Taylor, further in view of Logan, and further in view of Pendakur (US SN 10/044,544). Applicant respectfully traverses the rejection because the cited portions of Ellis, Taylor, Logan and Pendakur, either individually or in combination with each other or with any objective reasoning of the Office Action, do not disclose, teach, or suggest, the present subject matter of these claims.

Claims 3-6 and 11 ultimately depend on base claim 1. As set forth above, Ellis, Taylor, and Logan fail to teach or suggest all of the elements of base claim 1 that are incorporated into the dependent claims. Pendakur fails to teach or suggest the missing elements. For example, Applicant cannot find in the proposed combination of Ellis, Taylor, Logan and Pendakur, among other things,

a web client to ... configure at least one playlist in the media server ... wherein the playlist includes at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist,

as presently recited in claim 1 and incorporated into claims 3-6 and 11. Applicant respectfully requests withdrawal of the rejection and allowance of claims 3-6 and 11.

5. Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis in view of Taylor, further in view of Pendakur, and further in view of Brooks (US SN 09/956,688). Applicant respectfully traverses the rejection because the cited portions of Ellis, Taylor and Pendakur, either individually or in combination with each other or with any objective reasoning of the Office Action, do not disclose, teach, or suggest, the present subject matter of these claims.

Claims 12 and 13 ultimately depend on base claim 1. As set forth above, Ellis and Taylor fail to teach or suggest all of the elements of base claim 1 that are incorporated into the dependent claims. Pendakur fails to teach or suggest the missing elements. For example, Applicant cannot find in the proposed combination of Ellis, Taylor and Pendakur, any teaching or suggestion of among other things,

a web client to ... configure at least one playlist in the media server ... wherein the playlist includes at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist,

as presently recited in claim 1 and incorporated into claims 12 and 13. Applicant respectfully requests withdrawal of the rejection and allowance of claims 12 and 13.

6. Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis in view of Taylor, further in view of Logan, further in view of Rodriguez, and further in view of Brooks. Applicant respectfully traverses the rejection because the cited portions of Ellis, Taylor, Logan, Rodriguez and Brooks, either individually or in combination with each other or with any objective reasoning of the Office Action, do not disclose, teach, or suggest, the present subject matter of these claims.

Claim 21 ultimately depends on base claim 16. As set forth above, Ellis, Taylor, Logan and Rodriguez fail to teach or suggest all of the elements of base claim 16 that are incorporated into the dependent claims. Brooks fails to teach or suggest the missing elements. For example, Applicant cannot find in the proposed combination of Ellis, Taylor, Logan, Rodriguez and Brooks, among other things,

a web client to ... configure at least one playlist in the media server ... wherein the playlist includes at least one track, wherein the track includes an identifier to select one or more of the number of video files and includes at least one logical action related to playing the playlist,

as presently recited in claim 16 and incorporated into claim 21. Applicant respectfully requests withdrawal of the rejection and allowance of claim 21.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2172

Date Dec. 18, 2008 By Paul J. Urbanski
Paul J. Urbanski
Reg. No. 58,351

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 18, 2008.

CANDIS BUENDING

Name

Signature

